

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

**AFFIDAVIT IN SUPPORT OF
AN CRIMINAL COMPLAINT**

I, Mary E. Behler, being first duly sworn, hereby depose and state the following:

INTRODUCTION

1. Affiant makes this affidavit in support of a criminal complaint and arrest warrant. This affidavit is based upon information that Affiant has gained through training and experience, as well as upon information relayed by other individuals, including law enforcement officers. This affidavit is being submitted for the limited purpose of establishing probable cause to secure an arrest warrant. As a result, Affiant has not included every fact known in the investigation.

2. Affiant submits, as set forth below, that there is probable cause to believe that Keshaun **ADAMS** has committed an act in the Northern District of Ohio, Western Division, constituting a violation of Title 18, United States Code, Section 922(o) (Illegal Possession of a Machine Gun).

TRAINING AND EXPERIENCE

3. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), United States Department of Justice, assigned to the Detroit Field Division since December 2013. I graduated from the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. During my employment with ATF, I have conducted and/or participated in numerous criminal

investigations focused on firearms, drug trafficking violations, and criminal street gangs.

4. I am currently assigned to the Detroit Field Division, Group IV, which is responsible for conducting investigations related to the illegal use and/or possession of firearms, armed drug trafficking, and organized crime investigations. I have participated in numerous investigations of organized crime and have conducted or participated in a variety of types of surveillance, the execution of search warrants, TIII wiretaps, and the debriefing of informants and cooperating witnesses. In addition, I have reviewed recorded conversations and records relating to various organized crime activities including, but not limited to, homicides, assaults, robberies, drug trafficking, and illegal firearms possession. Through my training, education, and experience, I have become familiar with the characteristics of firearms, both legal and illegal, as well as the requirements for legal ownership.

PROBABLE CAUSE

5. The ATF, along with its partner agencies, has been conducting an investigation of ADAMS for violations of federal law. On December 1, 2022, I reviewed Lucas County Court of Common Pleas Court Docket (G-4801-CR-202101155-000), which revealed that **ADAMS** is on probation in Lucas County, Ohio for Improperly Handling Firearms in a Motor Vehicle and Aggravated Possession of Drugs.

6. On November 4, 2022, Detroit Police Department (“DPD”) Gang Intelligence Corporal Anderson obtained a state search warrant for **ADAMS’**

cellular phone to obtain prospective and historical location information. Based on my review of this information—including the recent location information for **ADAMS'** cellular device—it appears that **ADAMS** often sleeps at 9XX Cuthbert Road, Toledo, OH and spends a significant amount of time at the residence during the day.

7. On December 8, 2022, DOL-OIG SA Colon obtained a federal search warrant (3:22MJ5420) from the Honorable Darrell A. Clay to search 9XX Cuthbert Road, Toledo. During that service of the federal search warrant, on December 13, 2022, agents announced presence and **ADAMS** came to the front door and allowed agents entry. **ADAMS** was the only occupant located within the residence.

8. While searching the bedroom appearing to belong to **ADAMS** during the execution of the warrant, agents located the following items:

- a. Under the bed, a loaded Draco, 7.62 caliber pistol, with a full-arm brace, two (2) sixty (60) round magazines attached, serial number PMD-03267-16 RO;
- b. Between the mattress and box spring, a loaded Glock, Model 21, .45 caliber pistol, serial number GEE613, with an attached Glock switch;¹ and
- c. In the top dresser drawer, a Michigan driver's license, Visa debit card, and Omerta Clothing LLC documents in the name of **ADAMS**, as well as additional male clothing items believed to belong to **ADAMS**.

9. In my training and experience, a Glock switch is a machine gun conversion device that is designed to make the Glock pistol function as a fully

¹ After observing these items during the original authorized search, agents obtained an additional search warrant from this Honorable Court to search and seize, *inter alia*, items relating to firearms offenses in case number 3:22MJ5429.

automatic firearm. That is, an individual can affix a Glock conversion device to a Glock pistol to make the pistol shoot automatically and function as a machine gun.

10. A machine gun is a firearm under the National Firearms Act (NFA), 26 U.S.C. § 5845(a). A machine gun is defined, in pertinent part, as “any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun.” 26 U.S.C. § 5845(b). A Glock conversion device – commonly referred to as “Glock Switch” or “Glock Auto Sear” – is a part, or combination of parts, designed and intended for use in converting a semiautomatic Glock pistol into a machinegun -- therefore, it is a “machinegun.”

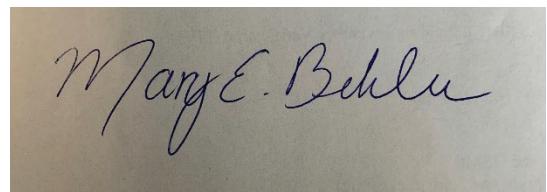
11. The Gun Control Act, 18 U.S.C. § 922(o), prohibits the transfer or possession of a machinegun manufactured after May 19, 1986. ATF is not aware of any Glock conversion devices that were developed before May 19, 1986. As such, Glock conversion devices are considered post-1986 machineguns. Therefore, they may only be lawfully possessed by properly licensed federal firearms licensees who have paid the appropriate Special Occupational Tax required of those manufacturing, importing, or dealing in NFA firearms under the authority of the United States and any department or agency thereof or a State or a department, agency, or political subdivision thereof.

12. ATF Resident Agent in Charge (RAC) Kevin Arnett informed me that Glock switches are not registered in the NFA registry. RAC Arnett also stated that he had called the ATF NFA Division, which reported that ADAMS is not a registrant.

CONCLUSION

13. Based upon the aforementioned facts stated herein, there is probable cause to believe KESHAUN ADAMS (B/M; DOB: XX/XX/1996), did knowingly and intentionally possess a loaded Glock, model 21, .45 caliber pistol, serial number GEE613, with an attached Glock switch, such items having affected interstate commerce, in violation of 18 U.S.C. § 922(o) (Illegal Possession of a Machine Gun). Said violations occurring on or about December 13, 2022, in the city of Toledo, in the Northern District of Ohio, Western Division.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Mary E. Behler", is centered within a rectangular gray background.

Mary E. Behler, Special Agent
Bureau of Alcohol, Tobacco, Firearms, and
Explosives

Sworn to via telephone on this 13th day of December, 2022
after submission by reliable electronic means.

Fed.R.Crim.P. 4.1 and 41(d)(3).



Darrell A. Clay
United States Magistrate Judge